

EXHIBIT 101

In the Matter Of:

Henry v

Brown University

JOHN GAINES

August 03, 2023



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CASE NO. 1:22-CV-00125

SIA HENRY, MICHAEL MAERLANDER, BRANDON PIYEVSKY,
KARA SAFFRIN, and BRITTANY TATIANA WEAVER,
individually and on behalf of all others similarly
situated,

Plaintiffs,

vs.

BROWN UNIVERSITY, CALIFORNIA INSTITUTE OF
TECHNOLOGY, UNIVERSITY OF CHICAGO, THE TRUSTEES OF
COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK, CORNELL
UNIVERSITY, TRUSTEES OF DARTMOUTH COLLEGE, DUKE
UNIVERSITY, EMORY UNIVERSITY, GEORGETOWN UNIVERSITY,
MASSACHUSETTS INSTITUTE OF TECHNOLOGY, NORTHWESTERN
UNIVERSITY, UNIVERSITY OF NOTRE DAME DU LAC, THE
TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA, WILLIAM
MARSH RICE UNIVERSITY, VANDERBILT UNIVERSITY, and
YALE UNIVERSITY,

Defendants.

Final transcript without Confidentiality Designations

VIDEO DEPOSITION OF

JOHN GAINES

Thursday, August 3, 2023

9:11 a.m. CT

Reported by: Elisabeth A. Lorenz: RMR, CRR

Job No. 2023-899671

1 Q What do you understand the term need-blind
2 to mean?

3 A Well, I can speak to what need-blind meant
4 in practice at Vanderbilt for us.

5 And so at Vanderbilt, there was no officer
6 in the office of admissions, including the dean and
7 myself as director, and including all of those
8 seasonal employees, who ever had access to financial
9 aid documents, never.

10 So the way we talked about that to the
11 public was that a family's ability to pay was not a
12 part of our admissions evaluation at all, so we were
13 need-blind in that way.

14 And as part of Opportunity Vanderbilt, which
15 was our financial aid program, that was the first of
16 the three commitments that we made. We were
17 need-blind for admission for all first-year, U.S.
18 citizen applicants and eligible permanent residents
19 and for transfer students.

20 We reserved the right to be need-aware for
21 admissions -- offers of admission we would make from
22 the waitlist. And we were, in fact, need-aware for
23 international applicants to Vanderbilt. So there is
24 some nuance there.

25 The second commitment of Opportunity

1 Vanderbilt was that we would meet the demonstrated
2 need of every family that we admitted.

3 And the third is that we would do so without
4 using loans and without income caps, income cutoffs
5 for the parents.

6 MR. GIDLEY: Bob, when it's convenient,
7 we're coming up on the one-hour mark, so a break
8 when it's convenient.

9 MR. GILBERT: Yeah, I would imagine in
10 the next -- guessing next ten minutes. Okay.

11 MR. GIDLEY: Sounds good.

12 THE WITNESS: All right.

13 BY MR. GILBERT:

14 Q When you say we reserve the right to be
15 need-aware for offers of admission from the
16 waitlist, what do you mean by the phrase need-aware?

17 A In that case, we might consult with members
18 from our financial aid team about what a family's
19 estimated family contribution would be. And in some
20 years, that mattered; and in other years, it just
21 didn't matter at all. So we reserved the right to
22 be need-aware.

23 Q In some years, would it be a plus factor for
24 admission if the student did not need financial aid
25 from the waitlist?

1 A Only from the waitlist, yes, in some years.

2 Q Do you recall which years?

3 A I really don't. It was not very often, if
4 I'm being honest.

5 You remember I talked about all of those
6 other priorities, the filling the classes at the
7 schools in the appropriate measures. We care a lot
8 in those days about racial and ethnic diversity.
9 That was more important almost always. The gender
10 balance was almost always more important.

11 Filling those small majors in Peabody and
12 making sure that every seat in the Blair studios was
13 filled, those were the more important things almost
14 every year.

15 But in some years, yes, financial need was
16 considered on the waitlist.

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